

Serial No. 10/809,141
Attorney Docket No.: 2003-0455.01
Response to Office Communication

REMARKS

Applicants have now had an opportunity to carefully consider the comments set forth in the Office Action of January 31, 2008. Claims 1, 8, 10, 13-15, 21, 28-30, 32-33 and 37 have been amended. Claims 11, 16, 31, 36 and 39 have been cancelled. New claims 42-43 have been added. Applicants respectfully submit that new claims 42-43 find support in the original application as originally filed. No new matter is believed to have been introduced.

Claim rejection based upon 35 USC 102(a)

Claim 21 is rejected under 35 USC 102(a) as being anticipated by Dotsubo US Patent 6,556,243 (hereinafter "Dotsubo"). In response, Applicants submit the following.

Claim 21 has been amended to recite capturing a first image from only a portion of an original image based upon a selection of the user, processing the first image and printing the processed image in a background layer of a second image. Capturing only a user-selected portion of the original image as the first image advantageously allows for the ability to greater customize a background layer (the processed image) for an image (the second image).

In contrast, Dotsubo makes no mention of capturing only a portion of an image for use in a background layer of a second image, much less the image portion being user-selected. Though mention may possibly be made in Dotsubo of reconciling the resolution of title/template images with the resolution of the photograph, such resolution reconciliation does not suggest or imply capturing only a user-selected portion of an original document for use in a background of a second image.

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